



08-21-00

GP/1613

Attorney Docket: 1576.79

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: Hiroshi Suzuki, et al. )  
S.N.: 09/486,981 )  
Filed: February 28, 2000 )  
For: MOLECULAR COMPOUNDS CONTAIN- )  
ING PHENOL DERIVATIVES AS )  
CONSTITUENT )

AUG 23 2000

TECH CENTER 1600/2800

Examiner: Unknown

Art Unit: 1613

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EL498519116US  
Date of Deposit: August 18, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Lia H. Costello  
Lia H. Costello, Legal Assistant

Assistant Commissioner For Patents  
Washington, DC 20231

PROOF OF AUTHORITY  
(37 C.F.R. §1.44)

Dear Sir or Madam:

Pursuant to the Decision on Petition Under 37 C.F.R. §§1.42 and 1.44 dated July 13, 2000 applicant submits herewith:

1. A legal memorandum signed by an attorney at law familiar with the law of the jurisdiction involved as required in MPEP 409.01(a);
2. An English translation of Articles 824, 887, 889 and 890 of the current Japanese Civil Law;
3. A copy of Articles 824, 887, 889 and 890 of the current Japanese Civil Law;
4. A certified copy of the family registry of deceased joint inventor Izuo Aoki with an English apostille; and
5. An English translation of the certified copy of the family registry with English apostille and Declaration of translator.

Remarks

Following receipt of the Decision on Petition Under 37 C.F.R. §§1.42 and 1.44 dated February 17, 2000, Applicants submit herewith, in accordance with 37 C.F.R. §§1.42 and 1.44, the enclosed documents as Proof of Authority of the legal representative of deceased inventor Mr. Izuo Aoki to act. Please enter these documents in the file of the above-referenced application.

Conclusion

Please contact the undersigned if the enclosed documents do not provide sufficient proof of authority.

Respectfully submitted,

Louise A. Foutch

Louise A. Foutch  
Registration No. 37,133  
17757 U.S. Hwy. 19 North  
Mangrove Bay, Suite 500  
Clearwater, FL 33764  
(727) 538-3800

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## South Toranomon Law Offices

2<sup>nd</sup> Fl., Urban Toranomon Bldg.  
1-16-4 Toranomon, Minato-ku  
Tokyo, Japan T-105-0001  
Tel: 81-3-3502-6294 / Fax: 81-3-3580-2348

REC'D. 8/23/2000  
AUG 23 2000

August 8, 2000

### LEGAL MEMORANDUM

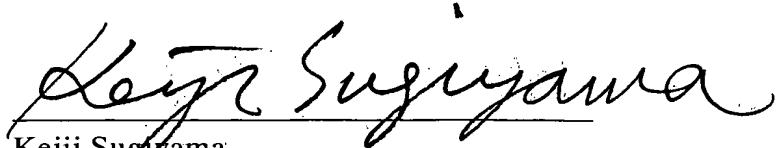
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, the undersigned, graduated from the Law School of the Tokyo University and passed the Japanese bar examination in 1976, received mandatory training at the Legal Research and Training Institute for two years thereafter, and I was admitted to the bar and became a practicing attorney in 1979. Since then, I have practiced Japanese law, including civil law, for more than twenty-one years.

1. According to a certified copy of a family registration of the deceased Mr. Izuo Aoki, which was issued on July 21, 2000, his relatives concerned are Mrs. Midori Aoki (wife) and Keisuke Aoki (son aged eight years).
2. A wife of the deceased is an heir under Article 890 of the Japanese Civil Act. A child of the deceased is also an heir under Article 887 of the same Act. If there is any child, no other relatives (except for a spouse) are qualified for inheritance (Article 889). So, Mrs. Midori Aoki and Keisuke Aoki are the sole heirs of deceased Mr. Izuo Aoki.
3. If a child is a juvenile, its parent is entitled to act for it in accordance with Article 824 of the same Act. Then, Mrs. Midori Aoki has the legal right to represent the minor child Keisuke Aoki.
4. Therefore, Mrs. Midori Aoki is authorized to sign on Mr. Aoki's behalf, as an heir for herself and as a parent of the other heir Keisuke Aoki.
5. See the attached translation of the related Articles of the Japanese Civil Act.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or of any patent issuing therefrom.

  
Keiji Sugiyama  
Attorney at Law

## The Civil Code of Japan

### Article 824

A person who exercises parental power manages the property of a child and represents the child on juristic acts concerning its property; in cases, however, where an obligation is to be created having for its subject any act of the child, the consent of the child itself shall be obtained.

### Article 887

Children of a person to be succeeded to become successors.

2. If a child of a person to be succeeded to had died previous to the opening of the succession, or lost the right of succession due to falling under the provision of Article 891 or due to disinheritance, the children of such person become successors by virtue of succession by representation. Provided that this shall not apply to those who are not lineal descendants of the person to be succeeded to.
3. The provision of the preceding paragraph shall apply mutatis mutandis in the case where a successor by representation had died previous to the opening of the succession, or lost the right of succession by representation due to falling under the provision of Article 891 or due to disinheritance.

### Article 889

In cases where there exists no person who is to become successor in accordance with the provision of Article 887, the persons mentioned below become successors in the order as follows:

- ( I ) Lineal ascendants; provided that as between persons standing in different degree of relationship, those nearer in degree are preferred;
- ( II ) Brothers and sisters.

2. The provisions of Article 887 paragraph 2 shall apply mutatis mutandis in the case mentioned in item ( II ) of the preceding paragraph.

### Article 890

The spouse of a person succeeded to becomes, in every case, a successor. In this case, if there is any person who is to become a successor in accordance with the provisions of the preceding three Articles, the order of succession of the spouse shall be in the same rank with such person.







本籍名	静岡県三島市853番地3 青木 伊豆男
戸籍事項 戸籍改製	【改製日】平成8年11月2日 【改製事由】平成6年法務省令第51号附則第2条第1項による改製
戸籍に記録されている者 除籍	【名】 伊豆男 【生年月日】昭和37年3月6日 【父】青木周一 【母】青木ひさ 【続柄】二男
身分事項 出生	【出生日】昭和37年3月6日 【出生地】静岡県三島市 【届出日】昭和37年3月14日 【届出人】父
婚姻	【婚姻日】平成3年1月27日 【配偶者氏名】岩澤みどり 【従前戸籍】静岡県三島市853番地3 青木周一
死亡	【死亡日】平成11年1月7日 【死亡時分】午後1時32分 【死亡地】千葉県市原市 【届出日】平成11年1月9日 【届出人】親族 青木みどり 【送付を受けた日】平成11年1月18日 【受理者】千葉県市原市長
戸籍に記録されている者	【名】 みどり 【生年月日】昭和41年4月9日 【父】岩澤盛男 【母】岩澤富子 【続柄】二女
身分事項 出生	【出生日】昭和41年4月9日 【出生地】千葉県千葉市 【届出日】昭和41年4月11日 【届出人】父 【送付を受けた日】昭和41年4月20日 【受理者】千葉県千葉市長

# APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: JAPAN

This public document

2. has been signed by

Masaomi KOIKE

3. acting in the capacity of

Mayor of Mishima City,  
Shizuoka Prefecture

4. bears the seal/stamp of

Certified

5. at Tokyo

6. AUG. - 7.2000

7. by the Ministry of Foreign Affairs

8. No. 00083739

9. Seal/stamp:

10. Signature:



*T. Mochizuki*  
Takeshi MOCHIZUKI  
For the Minister for Foreign Affairs

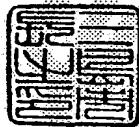
婚姻	【婚姻日】平成3年1月27日 【配偶者氏名】青木伊豆男 【従前戸籍】千葉県市原市五井1348番地4 岩澤盛男
配偶者の死亡	【配偶者の死亡日】平成11年1月7日
戸籍に記録されている者	【名】佳祐 【生年月日】平成4年5月15日 【父】青木伊豆男 【母】青木みどり 【続柄】長男
身分事項 出 生	【出生日】平成4年5月15日 【出生地】千葉県市原市 【届出日】平成4年5月22日 【届出入】父 【送付を受けた日】平成4年5月28日 【受理者】千葉県市原市長
	以下余白

発行番号 20000010704986

これは、戸籍に記録されている事項の全部を証明した書面である。

平成12年7月21日

静岡県三島市長 小池 政臣



**DECLARATION**

I, Masashi MIYAKAWA, residing at 9-1-7, Akasaka, Minato-ku, Tokyo, Japan, do solemnly and sincerely declare:

1. That I am well acquainted with the Japanese and English languages, and
2. That the attached document:  
Certified copy of the Family Register  
is true translation into the English language.

And I make this solemn declaration conscientiously believing the same to be true and correct.



Masashi MIYAKAWA

**NOTARIAL CERTIFICATE**

Registration No. 1789 of 2000

Subscribed and affirmed before me on this 7th day of August, 2000.



Hisaki Ishiguro

Notary: HISAAKI ISHIGURO



Tokyo Legal Affairs Bureau

**NOTARY OFFICE**

5-4-11 Kojimachi, Chiyoda-ku,  
Tokyo, Japan



平成 12 年 登 簿 第 1789 号



認 証

嘱託人 宮川正司は、本公証人の面前で添付書類に署名した。

よつて、これを認証する。

平成 12 年 8 月 7 日、本公証人役場において

東京都千代田区麹町5丁目4番11号

東京法務局所属

公証人

石黒、久暉



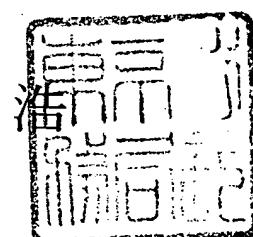
証 明

上記署名は、東京法務局所属公証人の署名に相違ないものであり、かつ、その押印は、真実のものであることを証明する。

平成 12 年 8 月 7 日

東京法務局長

櫻井



C E R T I F I C A T E

This is to certify that the signature affixed above has been provided by Notary, duly authorized by the Tokyo Legal Affairs Bureau and that the Official Seal appearing on the same is genuine.

Date

7th August, 2000

Hiroshi SAKURAI  
Director of the Tokyo Legal Affairs Bureau



## APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: JAPAN

This public document

2. has been signed by Hiroshi SAKURAI

3. acting in the capacity of Director of the Tokyo Legal Affairs Bureau

4. bears the seal/stamp of

Certified

5. at Tokyo

6. 7th August, 2000

7. by the Ministry of Foreign Affairs

8. OO - № 014312

9. Seal/stamp:

10. Signature:

*T. Mochizuki*

Takeshi MOCHIZUKI  
For the Minister for Foreign Affairs



The whole articles certification

Permanent address Name	853-3, Mishima-shi, Shizuoka-ken AOKI Izuo
Articles of a family-register This family-register was amended.	Date of amendment: November 2, 1996. Reason of the amendment: It was amended by art. 2, para. 1 of supplementary provisions of 51 <sup>st</sup> of a Ministerial Ordinance of the Ministry of Justice in 1994.
A person registered in this family register. Removal from this family register.	Name: Izuo Date of birth: March 6, 1962 Father: AOKI Shuichi Mother: AOKI Hisa Personal relationship: the second son
Status articles Birth  Marriage  Death	Date of birth: March 6, 1962 Place of birth: Mishima-shi, Shizuoka-ken Date of reporting of birth: March 14, 1962 Person of reporting of birth: father Date of marriage: January 27, 1991 Name of his spouse: IWASAWA Midori Family-register before marriage: 853-3, Mishima-shi, Shizuoka-ken AOKI Shuichi Date of death: January 7, 1999 Time of death: at 1:32 p.m. Place of death: Ichihara-shi, Chiba-ken Date of reporting of death: January 9, 1999 Person of reporting of death: relative AOKI Midori Date of reporting: January 18, 1999 Person of acceptance: the mayor of Ichihara-shi, Chiba-ken
A person registered in this family-register.	Name: Midori Date of birth: April 9, 1966 Father: IWASAWA Morio Mother: IWASAWA Tomiko Personal relationship: the third daughter
Status articles Birth  Marriage  Death of her spouse	Date of birth: April 9, 1966 Place of birth: Chiba-shi, Chiba-ken Date of reporting of birth: April 11, 1966 Person of reporting of birth: father Date of reporting: April 20, 1966 Person of acceptance: the mayor of Chiba-shi, Chiba-ken Date of marriage: January 27, 1991 Name of her spouse: AOKI Izuo Family-register before marriage: 1348-4, Goi, Ichihara-shi, Chiba-ken IWASAWA Morio Date of the death of her spouse: January 7, 1999
A person registered in this family-register	Name: Keisuke Date of birth: May 15, 1992 Father: AOKI Izuo Mother: AOKI Midori Personal relationship: the first son
Status articles Birth	Date of birth: May 15, 1992 Place of birth: Ichihara-shi, Chiba-ken Date of reporting of birth: May 22, 1992 Person of reporting of birth: father Date of reporting: May 28, 1992 Person of acceptance: the mayor of Ichihara-shi, Chiba-ken
	Hereinafter blank space

Issue No. 20000010700312

This is a document that certifies the whole article recorded in this family-register.

July 21, 2000

The Mayor of Mishima-shi, Shizuoka-ken: KOIKE Masaomi

Seal

本籍 氏名	静岡県三島市853番地3 青木 伊豆男
戸籍事項 戸籍改製	【改製日】平成8年11月2日 【改製事由】平成6年法務省令第51号附則第2条第1項による改製
戸籍に記録されている者 除籍	【名】 伊豆男 【生年月日】昭和37年3月6日 【父】青木周一 【母】青木ひさ 【続柄】二男
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死亡	【死亡日】平成11年1月7日 【死亡時分】午後1時32分 【死亡地】千葉県市原市 【届出日】平成11年1月9日 【届出人】親族 青木みどり 【送付を受けた日】平成11年1月18日 【受理者】千葉県市原市長
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	以下余白

発行番号 20000010704987

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平成12年7月21日

静岡県三島市長 小池 政臣

